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Amendments to the Claims:

- 1. (Previously Presented) 9-nitrocamptothecin in crystal form D wherein the crystal form D is characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C, and an X-ray powder diffraction pattern with diffraction lines at °2 θ values 4.8, 14.2, 19.1 and 26.8 for Cu $K\alpha$ radiation of wavelength of 1.5406 Angstrom.
- 2. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.4 to 275.3 °C, and an exotherm at between 279.8 and 280.8 °C.
- 3. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.7 to 275.1 °C, and an exotherm at between 280.1 and 280.5 °C.
- 4. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.8 to 275.0 °C, and an exotherm at between 280.2 and 280.4 °C.
- 5. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C.
- 6. (Canceled)

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- 7. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is crystallized from acctonitrile.
- 8-10. (Canceled)
- 11. (Currently Amended) A pharmaceutical composition in a solid dosage form comprising:
 a powdered pharmaceutical carrier; and

9-nitrocamptothecin in crystal form D wherein the crystal form D is characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C, and an X-ray powder diffraction pattern with diffraction lines at °2 θ values 4.8, 14.2, 19.1 and 26.8 for Cu $K\alpha$ radiation of wavelength of 1.5406 Angstrom.

- 12. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.4 to 275.3 °C, and an exotherm at between 279.8 and 280.8 °C.
- 13. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.7 to 275.1 °C, and an exotherm at between 280.1 and 280.5 °C.
- 14. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.8 to 275.0 °C, and an exotherm at between 280.2 and 280.4 °C.

15-19. (Canceled)

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- 20. (Previously Presented) A method of preparing 9-nitrocamptothecin in crystal form D as in claim 1, the method comprising:
 - crystallizing 9-nitrocamptothecin from acetonitrile.
- 21. (Previously Presented) The method according to claim 20, wherein the crystal form of 9-nitrocamptothecin is characterizable as having, differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C.
- 22. (Canceled)